

Message Text

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16

ACTION DLOS-06

INFO OCT-01 IO-14 ISO-00 CG-00 AF-10 ARA-16 EA-11 EUR-25

NEA-11 RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

CEQ-02 COA-02 COME-00 EB-11 EPA-04 NSF-04 SCI-06

FEA-02 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 OIC-04 DRC-01 /270 W

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R 252327Z JAN 74

FM USMISSION USUN NY

TO SECSTATE WASHDC 2485

C O N F I D E N T I A L USUN 292

E.O. 11652: GDS

TAGS: PBOR UN

SUBJ: OS GROUP OF 5 CONSULTATIONS ON RULES OF PROCEDURE

REF: USUN 222

1. AT REQUEST OF AMB OGISO GROUP OF 5 HELD CONSULTATIONS AT JAPANESE MISSION 25 JAN. OGISO CITED PURPOSE OF MEETING WAS TO DETERMINE IF IT POSSIBLE TO FIND FORMULA FOR GENTLEMAN'S AGREEMENT THAT COULD BE SUBMITTED AS JOINTLY CO-SPONSORED RESOLUTION. JAPANESE TEXT (REFTEL) AND US TEXT CITED BELOW, (WHICH HAD BEEN PREVIOUSLY DISCUSSED DURING INFORMAL CONSULTATIONS AT LOS CONF), WERE USED AS BASES FOR DISCUSSION.

2. AMB STEVENSON FIRST NOTED THAT AMB AMERASINGHE HAD TOLD HIM THAT MORNING THAT WHILE AMENDMENTS TO THE RULES COULD BE SUBMITTED AT ANY TIME IT WOULD BE VERY HELPFUL TO HAVE ALL TEXTS AVAILABLE DURING CONSULTATIONS IN FEB. STEVENSON THEN WENT ON TO TELL GROUP THAT US TEXT HAD RECEIVED BROAD, TENTATIVE ACCEPTANCE AT THE FINAL NEGOTIATING SESSION IN DEC. HE NOTED THAT ATTEMPTS
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TO GIVE VETO POWERS TO CONF PRES OR COMITE CHAIRMEN HAVE BEEN

STRONGLY OPOSED BY LDC'S AND CONTINUED EFFORTS COULD PREJUDICE MORE IMPORTANT QUESTION OF HAVING ANY RES ADOPTED THAT CONTINUES THE EFFECTIVENESS OF THE GENTLEMAN'S AGREEMENT. STEVENSON ADDED THAT IT IS IMPORTANT TO AVOID LDC ARGUMENT THAT RULES REPLACE THE GENTLEMAN'S AGREEMENT. HE EXPRESSED VIEW THAT SOME TEXT SHOULD BE SUBMITTED BEFORE DEADLINE AND THEREBY BE AVAILABLE FOR CONSULTATIONS. IF JAPAN SUBMITS THEIR TEXT US WILL NOT CO-SPONSOR BUT NEITHER WILL WE SUBMIT COMPETING VERSION.

3. UK (JAMIESON) STATED ABSENCE OF INSTRUCTIONS BUT ADDED THAT ON BASIS OF TELCON WITH DUDGEON THEIR PRELIMINARY REACTION WAS NO CO-SPONSORSHIP OF EITHER JAPAN OR US TEXT BUT RATHER TO SEEK SOMETHING IN BETWEEN. UK BELIEVES ABSOLUTE VETO POWER TO PRES OR CHAIRMEN IS "NOT SELLABLE." THEY BELIEVE BETTER TACTIC IS TO PROVIDE PRES OR CHAIRMEN WITH LIMITED POWER OF DEFERMENT (SUBJECT TO OVER-RULE BY CONF) IN FORM OF AMENDMENT TO RULE 37. PRES, FOR EXAMPLE, SHOULD BE ABLE TO DEFER VOTING FOR "REASONABLE AND STATED PERIOD," (NOT NECESSARILY 48 HOURS), IF HE IS NOT SATISFIED ALL EFFORTS OF CONSENSUS HAVE BEEN EXHAUSTED, AND THEN PROCEED TO VOTE IF CONF SO DECIDES. JAMIESON ADDED, HOWEVER, THAT THESE ARE MERELY PRELIMINARY THOUGHTS ON THE MEANS OF IMPLEMENTING THE GENTLEMAN'S AGREEMENT. STEVENSON NOTED THAT UK IDEAS WERE NOT INCONSISTENT WITH US VERSION OF DRAFT RES AND ASKED FOR COMMENTS ON AUSTRALIA AMENDMENT TO RULE 37. NO DELEGATION WAS PREPARED TO OFFER COMMENTS.

5. FRANCE (SCALABRE) AND SOVS (SMIRNOV) CITED LACK OF INSTRUCTIONS AND OFFERED NO COMMENTS ON ANY QUESTION UNDER DISCUSSION. OGISO NOTED ABSENCE OF AGREEMENT AMONG GROUP MEMBERS AND SCHEDULED ANOTHER MEETING FOR 29 JAN AT 11:00 AM.

6. FOLLOWING IS US TEXT (OPERATIVE PARAS ONLY):

QUOTE

DECIDES THAT ALL ORGANS OF THE CONFERENCE SHOULD MAKE EVERY EFFORT TO REACH AGREEMENT ON SUBSTANTIVE MATTERS BY WAY OF CONSENSUS AND THERE SHOULD BE NO VOTING ON SUBSTANTIVE MATTERS UNTIL ALL EFFORTS AT CONSENSUS HAVE BEEN EXHAUSTED, INCLUDING SUCH EFFORTS AS THE PRESIDENT OR CHAIRMEN MAY DEEM CONFIDENTIAL

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APPROPRIATE;

DECIDES FURTHER TO ADOPT THE RULES OF PROCEDURE CONTAINED IN DOCUMENT (BLANK); UNQUOTE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, AMENDMENTS, MEETINGS, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN00292
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740114/aaaaamox.tel
Line Count: 112
Locator: TEXT ON-LINE
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: USUN 222
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 JUN 2002 by rowelle0>; APPROVED <26 NOV 2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OS GROUP OF 5 CONSULTATIONS ON RULES OF PROCEDURE
TAGS: PBOR, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005